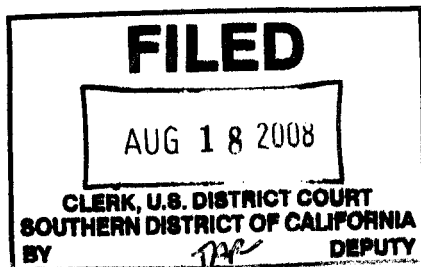


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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA **'08 MJ 8738**

UNITED STATES OF AMERICA

Plaintiff,

v.

Paulina BAZAN-Vargas

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled
Substance (Felony)

The undersigned complainant being duly sworn states:

That on or about August 16, 2008, within the Southern District of California, defendant Paulina BAZAN-Vargas, did knowingly and intentionally import approximately 66.28 kilograms (145.82 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Section 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

[Signature]
Vincent McDonald, Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 18th
DAY OF AUGUST 2008.

[Signature]
PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, Special Agent Vincent McDonald with the U.S. Immigration and Customs Enforcement, declare under penalty of perjury, the following is true and correct:

On August 16, 2008, at approximately 10:23 a.m., Paulina BAZAN-Vargas entered the United States from the Republic of Mexico at the Calexico California West Port of Entry. BAZAN was the driver and sole occupant of a 1996 Mazda Millenia S bearing California (CA) license plate number 5BUK730, of which she was not the registered owner. Customs and Border Protection Officers searched the vehicle BAZAN was driving and uncovered twenty-four packages under the floor of the vehicle. Six additional packages were found concealed behind the rear seat. A total of thirty packages were extracted from the 1996 Mazda wrapped in black and yellow tape. A sample from one of the packages was obtained and it field-tested positive for marijuana, a Schedule I Controlled Substance. The combined weight of the thirty packages was 66.28 kilograms (145.82 pounds).

BAZAN was advised of her Constitutional rights according to Miranda, which she acknowledged and waived agreeing to be interviewed without the presence of an attorney. BAZAN claimed "Jorge" provided her with the vehicle early in the morning on August 16. BAZAN stated "Jorge" told her to use a story to facilitate her entry to the US. BAZAN claimed she was to be paid \$1500 to drive the vehicle into the US from Mexico. Upon crossing the Calexico border to the U.S., BAZAN added she was instructed by "Jorge" to drive to "Walmart" and leave the car keys under the mat.

Executed on August 17, 2008 at 3:41 a.m.



Vincent McDonald, Special Agent

On the basis of the facts presented in the probable cause statement consisting of one page, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on August 16, 2008, in violation of Title 21, United States Code, Sections 952 and 960.



United States Magistrate Judge

8/17/08 at 3:45 AM
Date/Time